

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ALEXANDRA SCHRAMM,
Minor.

JOHN SCOTT GOLDEN and JENNIE LEE
GOLDEN,

UNPUBLISHED
October 4, 2005

Petitioners-Appellees,

v

BOBBY FIELDS,

No. 261540
Kent Circuit Court
Family Division
LC No. 04-058042-NA

Respondent-Appellant,

and

JONI L. SCHRAMM,

Respondent.

Before: Saad, P.J., and Jansen and Markey, JJ.

MEMORANDUM.

Respondent-appellant Bobby Fields (hereafter “respondent”) appeals as of right from the trial court’s order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(a)(ii) and (g). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). Respondent had one interaction and one inadvertent visual contact with the child during the four years of her life. Although respondent claimed that he attempted to locate the child for two years after her birth, he failed to establish paternity, failed to provide support, and failed to take action to establish a relationship with the child even after the initiation of the child protective proceedings. The trial court did not clearly err in finding that respondent deserted the child for ninety-one or more days and did not seek custody of her during that period. Thus, the trial court properly relied on § 19b(3)(a)(ii) as a statutory basis for termination. *In re Sours*, 459 Mich 624, 632-633; 593 NW2d 520 (1999).

Similarly, in light of respondent's past criminal history and history of substance abuse, his substantial child support arrearages involving other children, the deficiencies in his efforts to establish paternity and a relationship with this child, and his own testimony that he "just want[s] to participate" in the child's life but was not trying to take away the rights of petitioners or the child's mother, the trial court did not clearly err in finding that termination was also warranted under § 19b(3)(g).

In the absence of clear evidence that termination was not in the child's best interests, the trial court properly terminated respondent's parental rights to the child. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000).

Affirmed.

/s/ Henry William Saad

/s/ Kathleen Jansen

/s/ Jane E. Markey